



FOR IMMEDIATE RELEASE

For additional information, please
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August 9, 2015
12:00 p.m.

City and County Declare State of Local Emergency

Durango, CO: Effective at noon today, the City of Durango and La Plata County have each proclaimed a state of local emergency in their jurisdictions due to the contamination of the Animas River. The declaration was made after consultation with the Southern Ute Indian Tribe, Town of Silverton, San Juan Basin Health Department, San Juan County, Colorado, and San Juan County, New Mexico and is in response to the release of approximately one million gallons of waste water from the Gold King Mine in San Juan County, Colorado triggered by work that the Environmental Protection Agency (EPA) was doing to investigate contamination at the mine.

In declaring a state of emergency, the City and County activate the response and recovery aspects of their local disaster emergency plans, which allows resources to be shared among responding agencies.

“This action has been taken due to the serious nature of the incident and to convey the grave concerns that local elected officials have to ensure that all appropriate levels of state and federal resources are brought to bear to assist our community not only in actively managing this tragic incident but also to recover from it,” explained Joe Kerby, La Plata County Manager.

Per State Statute, the chief executive officer of a political subdivision of the State has the authority to declare a state of local emergency for up to seven days, after which it may be continued by official action of the governing board. Durango City Council and La Plata County Commissioners will consider the renewal of the emergency declaration at their respective public meetings to be held on Tuesday, August 11, 2015.

The Durango City Council will meet on Tuesday, August 11th at 3:45 p.m. in the Smith Chambers at City Hall (949 E. 2nd Avenue).

The La Plata County Commission will meet on Tuesday, August 11th at 10:00 a.m. in the County Administration Building Board Room (1101 E. 2nd Avenue).

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PROCLAMATION OF STATE OF LOCAL EMERGENCY

After consultation with the City of Durango, the Southern Ute Indian Tribe, San Juan Basin Health Department, Town of Silverton, San Juan County, Colorado, and San Juan County, New Mexico, pursuant to the authority vested in me under C.R.S. § 24-33.5-709, I, Joe Kerby, the chief executive officer of La Plata County do hereby proclaim a state of local emergency in the unincorporated area of La Plata County as set forth herein.

1. Background and Need

- (a) The Director of the La Plata County Office of Emergency Management advised me of a local emergency (as that term is defined in Part 7 of Article 33.5 of Title 24, C.R.S.) present in the unincorporated area of La Plata County, to wit, the occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from water contamination caused from a large release of mine waste water, which was triggered by the U.S. Environmental Protection Agency (EPA), on August 5, 2015, from the Gold King Mine into Cement Creek and subsequently into the Animas River, requiring emergency action to avert loss of life, danger or damage, including but not limited to unknown economic, environmental, financial and natural resources impacts.
- (b) After consultation with the Environmental Protection Agency, Colorado Department of Public Health and Environment, and San Juan Basin Health Department, the La Plata County Sheriff determined that a hazard to human life and safety existed and issued an official use restriction for the Animas River beginning at the San Juan County, Colorado/La Plata County, Colorado county line and ending at the Colorado/New Mexico state line effective August 6, 2015 at 3:00 p.m.
- (c) The potential cost, economic impact and magnitude of responding to and recovering from the impact of the water contamination from the Gold King Mine Animas River Spill, caused by the EPA on August 5, 2015, may be far in excess of La Plata County's available resources.

2. Scope

- (a) The water contamination from the Gold King Mine Animas River Spill in the unincorporated areas of La Plata County, caused by the EPA on August 5, 2015, constitutes a local emergency for purposes of C.R.S. § 24-33.5-709.
- (b) The effect of this declaration of local emergency shall be to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance under such plans.
- (c) This proclamation shall not be continued or renewed for a period in excess of seven days except by or with the consent of the Board of County Commissioners.

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3. Recommendation

I recommend that the Board of County Commissioners consider the continuation or renewal of this proclamation at its August 11, 2015, public meeting.

Effective this 9th day of August, 2015 at noon.

LA PLATA COUNTY, COLORADO



A handwritten signature in black ink, appearing to read "Joe Kerby".

Joe Kerby, County Manager

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PROCLAMATION OF STATE OF LOCAL EMERGENCY

After consultation with La Plata County, the Southern Ute Indian Tribe, San Juan Basin Health Department, Town of Silverton, San Juan County, Colorado, and San Juan County, New Mexico, pursuant to the authority vested in me under C.R.S. § 24-33.5-709 and under the Charter and Ordinances of the City of Durango, I, Ron LeBlanc, the chief executive officer of the City of Durango do hereby proclaim a state of local emergency in the incorporated area of the city of Durango as set forth herein.

1. Background and Need

- (a) The Director of the La Plata County Office of Emergency Management advised me of a local emergency (as that term is defined in Part 7 of Article 33.5 of Title 24, C.R.S.) present in the city of Durango, to wit, the occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from water contamination caused from a large release of mine waste water, which was triggered by the U.S. Environmental Protection Agency (EPA), on August 5, 2015, from the Gold King Mine into Cement Creek and subsequently into the Animas River, requiring emergency action to avert loss of life, danger or damage, including but not limited to unknown economic, environmental, financial and natural resources impacts.
- (b) The City of Durango uses the Animas River as a source of municipal water to provide approximately 23,000 customers with potable and raw water. Because of the contamination of the Animas River, the City's Utility department was required to cease pumping water from the Animas River on Wednesday, August 5, 2015 in order to avoid contamination of the water utility system.
- (c) After consultation with the Environmental Protection Agency, Colorado Department of Public Health and Environment, and San Juan Basin Health Department, the La Plata County Sheriff determined that a hazard to human life and safety existed and issued an official use restriction for the Animas River beginning at the San Juan County, Colorado/La Plata County, Colorado county line and ending at the Colorado/New Mexico state line effective August 6, 2015 at 3:00 p.m.
- (d) The potential cost, economic impact and magnitude of responding to and recovering from the impact of the water contamination from the Gold King Mine Animas River Spill, caused by the EPA on August 5, 2015, may be far in excess of the City of Durango's available resources.

2. Scope

- (a) The water contamination from the Gold King Mine Animas River Spill in the incorporated area of the city of Durango, caused by the EPA on August 5, 2015, constitutes a local emergency for purposes of C.R.S. § 24-33.5-709.

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- (b) The effect of this declaration of local emergency shall be to activate the response and recovery aspects of any and all applicable local and inter-jurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance under such plans.
- (c) This proclamation shall not be continued or renewed for a period in excess of seven days except by or with the consent of the Durango City Council.

3. Recommendation

I recommend that the City Council consider the continuation or renewal of this proclamation at its special meeting on August 11, 2015 at 3:45 pm.

Effective this 9th day of August, 2015 at noon.

CITY OF DURANGO, COLORADO



Ron LeBlanc
Ron LeBlanc, City Manager

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